

**Notice of Allowability**

Application No.

09/855,011

Examiner

Dennis Rosario

Applicant(s)

RATCLIFFE, MARTIN J.

Art Unit

2624

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Pre-appeal brief request for review 5/12/2006.
2. ☒ The allowed claim(s) is/are 1-22.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of the:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.  
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached  
1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.  
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)           |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date <u>8/17/2006</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                                | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|   | 9. <input type="checkbox"/> Other _____   |

## **DETAILED ACTION**

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Robert M. Miller, Reg. No. 42,892 on June 13, 2006.

The application has been amended as follows:

Claim 15, last line, delete --- and insert:

--wherein said idle after luma state is further configured to move to any of (i) said chroma state, (ii) a BTMP after chroma state, (iii) an SPU/VBI state, (iv) said luma state and (v) said idle after chroma state.--.

Claim 16 last line, delete --- and insert:

--wherein said idle after luma state is further configured to move to any of (i) said chroma state, (ii) a BTMP after chroma state, (iii) an SPU/VBI state, (iv) said luma state and (v) said idle after chroma state.--.

## **RESPONSE TO PRE-APPEAL BRIEF REQUEST FOR REVIEW**

2. The pre-appeal brief request for review was received on May 12, 2006. Claims 1-22 are pending.

### ***Response to Arguments***

3. Applicant's arguments, see pre-appeal brief request for review paragraphs 1 and 2, filed 5/12/2006, with respect to 103(a) have been fully considered and are persuasive. The rejection of claim 1 has been withdrawn.

4. Applicant's arguments, see pre-appeal brief request for review, page 4, lines 11-13 and 15-19, filed 5/12/2006, with respect to 103(a) have been fully considered and are persuasive. The rejection of claims 21 and 22 has been withdrawn.

### ***Allowable Subject Matter***

5. Claims 1-22 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 1, applicants properly point out, stating in paragraphs 2, lines 15,16, "Therefore, the DMA device 384 of Yasuki does not comprise the state machine 385 of Yasuki."

Hence, and in view of applicants arguments, amendment and in combination with all of the other elements of the claim, claim 1 is allowable over the closest prior art of the combination of Yasuki et al. (US Patent 5,712,689 A).

Thus the respective dependent claims are allowable, too.

Claim 15 is allowed because the prior art does not teach the limitation of claim 22 because items (i) thru (v) are understood in the context of an "and" limitation.

Thus the respective dependent claims are allowable, too.

Claim 16 is allowable for the same reasons as claim 15.

Thus the respective dependent claims are allowable, too.

Regarding claim 22, applicants properly point out, stating on page 4, lines 11-13, "The Office Actions do not specifically identify where a BTMP after luma state, an SPU/VBI state and a BTMP after chroma state, as presently claimed, are found in the cited references." Note the examiner agrees that a BTMP after luma state, an SPU/VBI state and a BTMP after chroma state are not found in the cited references.

Hence, and in view of applicants arguments, amendment and in combination with all of the other elements of the claim, claim 22 is allowable over the closest prior art of the combination of Yasuki et al.

Claim 21 is allowable for the same reasons as claim 22.

### ***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis Rosario whose telephone number is (571) 272-7397. The examiner can normally be reached on 9-5.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta can be reached on (571) 272-7453. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DR

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